



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,459	03/11/2004	Kurt Brooks Uhler	N0184 US	7407

37583 7590 04/02/2007
NAVTEQ NORTH AMERICA, LLC
222 MERCHANDISE MART
SUITE 900, PATENT DEPT.
CHICAGO, IL 60654

EXAMINER

CAO, PHUONG THAO

ART UNIT	PAPER NUMBER
----------	--------------

2164

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/798,459

Applicant(s)

UHLIR ET AL.

Examiner

Phuong-Thao Cao

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Amendment filed on 1/8/2007.
2. Claims 1 and 6 have been amended; and claims 16-21 have been added. Currently, claims 1-21 are pending.

Response to Arguments

3. Applicant's arguments filed on 1/8/2007 have been fully considered but they are not persuasive.

Regarding Applicant's argument that Paulauskas et al. does not teach, disclosure, or suggest the features of "providing a second set of data from the source data and a geographic data tool set to a computer game developer, wherein the tool set is used to access the second set of data based, at least in part, upon a location criteria for developing games that represent at least some of the geographic features in the region as part of play scenarios of the computer games", the examiner disagrees with the precedent argument. Paulauskas et al., however, teaches in [column 3, lines 35-50] a geographic data 70 as a source database, wherein the geographic data or a portion of the geographic data is used for the navigation system as a first set of data from the source database, and wherein the geographic data or a portion of the geographic data is used with game applications [column 6, lines 64-65] as a second set of data from the source database. Applicant should note, the first and the second set of data can be the same since Applicant

Art Unit: 2164

admitted that there is no difference between the first and the second set of data. Paulauska et al. further states that the geographic data may be in form of one or more databases (see [column 1, lines 30-40] and [column 4, lines 15-30]), wherein many sets of data (databases) may be from the geographic data which can be provided to different individual entities. Applicant is reminded that in order to develop a game application using the geographic data, a game developer must be provided with not only the geographic data but also some programming language along with its technologies that can be considered as a tool set that the game developer uses to access the geographic data wherein a location criterion is an attribute or property of the geographic data.

Claim Objections

4. Claims 16 and 17 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2164

6. Claims 16 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 16 and 17, there are no limitations provided in claim 16 and 17 to carry out the computer readable medium and apparatus claims.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 16, 17, 20 and 21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 16 and 17 do not provide any tangible, concrete and useful result to form the basis statutory subject matter under 35 U.S.C. 101.

Regarding claim 20, the claim lacks the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best,

Art Unit: 2164

functional descriptive material *per se*. It appears that the computer product as claimed can be a software program, a file or just a paper with a computer program written therein which are all non-statutory.

Claim 21 is rejected as incorporating the deficiencies of claim 20 upon which it depends.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1, 7-9 and 11-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Paulauskas et al. (US Patent No 6,401,033).

As to claim 1, Paulauskas et al. teaches:

“A method of using a source database for forming derived products, wherein the source database contains data that represent geographic features in a region including roads in the region” (see Abstract, [column 3, lines 30-45] and [column 4, lines 15-30] wherein the geographic database is equivalent to Applicant’s “source database”), the method comprising:

“providing a first set of data from the source database, wherein the first set of data represents at least some of the geographic features in the region and further wherein the first set of data includes attributes suitable for use for providing navigation-related functions” (see [column 3, lines 1-15 and 35-45] and [column 4, lines 15-45] wherein geographic database is equivalent to Applicant’s “source database”, portion of geographic data stored or made available to the navigation programming on the vehicle is equivalent to Applicant’s “first set of data”;

“providing a first database product that includes the first set of data, wherein the first database product is used in the navigation system” (see [column 4, lines 1-15] wherein the geographic data provided by Navigation Technologies Corporation of Rosemont, Illinois which is an example of database product used in the navigation system, as illustrated in Applicant’s claim language); and

“providing a second set of data from the source database and a geographic data tool set to a computer game developer, wherein the second set of data represents at least some of the geographic features in the region and wherein the tool set is used to access the second set of data based, at least in part, upon a location criterion for developing computer games that represent at least some of the geographic features in the region as part of play scenarios of the computer games” (see [column 4, lines 57-65], [column 6, lines 1-25], and [column 7, lines 1-5 and 20-30] wherein geographic data provided to the game programming or the geographic database 72 can be considered as Applicant’s “second set of data” and the disclosure of the game applications using the geographic data [column 4, lines 57-60] which implies the inclusion of a geographic data tool set, since in order to develop a game application using the geographic data, a game developer must be provided with not only the geographic data but also some programming

language along with its technologies that can be considered as a tool set that the game developer uses to access the geographic data wherein a location criterion is an attribute or property of the geographic data).

As to claim 7, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Paulauska et al. teaches:

“accessing the second set of data using an application programming interface” (see [column 6, lines 15-20] wherein geographic data obtained by the game application is equivalent to Applicant’s “second set of data”, and the game application must obtain data from the geographic database through an application programming interface).

As to claim 8, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Paulauskas et al. teaches:

“accessing the second set of data using a spatial query” (see [column 9, lines 20-30] wherein any data obtained from the database is equivalent to Applicant’s “second set of data”, and the disclosure of user using the navigation system search features to access data indicates the ability to access data using spatial query).

As to claim 9, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Art Unit: 2164

Paulauskas et al. teaches:

“extracting data from the second set of data using spatial criteria” (see [column 6, lines 15-25] wherein obtaining only sign text information along the route upon which the vehicle is traveling indicates the use of spatial criteria).

As to claim 11, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Paulauskas et al. teaches:

“wherein the second set of data is provided directly from the source database for developing the computer games” (see [column 3, lines 35-40] wherein geographic data is equivalent to Applicant’s source database).

As to claim 12, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Paulauskas et al. teaches:

“forming a compiled database of geographic data from the source database” (see [column 4, lines 15-25] wherein the geographic database organized into separate subsets of data is equivalent to Applicant’s “compiled database”); and

“providing the second set of data from the compiled database for developing the computer programs” (see [column 4, lines 15-25] wherein computer programs may using different subsets of data).

As to claim 13, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Paulauskas et al. teaches:

“wherein the second set of data is provided to a plurality of end users computing platforms where the second set is used by computer games installed on the end users computing platforms to represent at least some of the geographic features in the region as part of play scenarios of the computer games” (see [column 4, lines 45-60] and [column 5, lines 30-55] wherein geographic data used by the game application or geographic database 72 is equivalent to Applicant’s “second set of data” and see [column 3, lines 38-47] wherein the geographic data is stored in a remote location and made available through communication system).

As to claim 14, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Paulauskas et al. teaches:

“wherein the second set of data is combined with other game-related components to form the computer games” (see [column 4, lines 55-65] wherein geographic data used by the game application is equivalent to Applicant’s “second set of data” and game data is equivalent to Applicant’s “other game-related components”).

As to claim 15, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Paulauskas et al. teaches:

“wherein the second set of data is combined with other game-related components to form the computer games, wherein the other game-related components include at least one of a group consisting of: characters, game logic, vehicles, game rules and programs for rendering and graphics” (see [column 4, lines 55-65] wherein geographic data used by the game application is equivalent to Applicant’s “second set of data” and game data including game rules is equivalent to other game-related components).

As to claims 16 and 17, these claims are rejected based on arguments given above for rejected claim 1 and are similarly rejected.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 2-6, 10 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paulauskas et al. (US Patent No 6,401,033) in view of Koller et al. (“Virtual GIS: A Real-Time 3D Geographic Information System”, IEEE: 1995).

As to claim 2, this claim is rejected based on analysis given above for rejected claim 1 and is similarly rejected.

However, Paulauskas et al. does not teach “wherein the second set of data is combined with road model data to provide a realistic visual appearance of roads in the region”.

On the other hand, Koller et al. teaches “wherein the second set of data is combined with road model data to provide a realistic visual appearance of roads in the region” (see [page 95, column 2, paragraph 2 and 3], [page 96, column 1, paragraph 2] and [page 96, column 2, paragraph 4] wherein each dataset as disclosed is equivalent to Applicant’s “second set of data” and information related to display graphical representation of roads is equivalent to Applicant’s “road model data”).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Paulauskas et al. by the teaching of Koller et al.. Adding the feature of combining the second set of data with road model data to provide a realistic visual appearance of roads in the region improve graphical representation of the computer games. One having ordinary skill in the art would have found it motivated to use the combined second set of data with road model data of Koller et al. which would provide Paulauskas et al.’s system a realistic visual appearance of roads in the region, thereby improving the graphical representation of the computer games.

As to claim 3, this claim is rejected based on arguments given above for rejected claim 2 and is similarly rejected. However,

Paulauskas et al. as modified does not teach “wherein the road model data includes road pavement colors, lane stripe markings, curbs, sidewalks, signs, lampposts, lane dividers, traffic signals, speed bumps, and crosswalks”.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Paulauskas et al. as modified by including in the road model data such data as road pavement colors, lane strip markings, curbs, sidewalks, signs, lampposts, lane dividers, traffic signals, speed bumps and crosswalks in the same conventional manner as Koller et al.. The motivation is being of allowing the computer games to effectively be built with more realistic scenes of roads in the region.

As to claim 4, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected. However,

Paulauskas et al. does not teach “wherein the second set of data is combined with 3D model data to provide a realistic visual presentation of polygon shaped features in the region”.

Koller et al. teaches “wherein the second set of data is combined with 3D model data to provide a realistic visual presentation of polygon shaped features in the region” (see [page 95, column 2, paragraph 2-4], [page 96, column 1, paragraph 2 and 3] and [page 96, column 2, paragraph 4]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Paulauskas et al. by incorporating the use of a second set of data with 3D model data as the conventional manner as Koller et al., in order to provide a realistic visual representation of polygon shaped features in the region thereby providing an

Art Unit: 2164

effective way to build computer game scenes with more realistic views which plays a key role in attracting computer game users.

As to claim 5, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected. However,

Paulauskas et al. does not teach “wherein the second set of data is combined with 3D model data to provide a realistic visual presentation of cityscape and landscape features in the region”.

Koller et al. teaches “wherein the second set of data is combined with 3D model data to provide a realistic visual presentation of cityscape and landscape features in the region” (see [page 94, column 2, paragraph 1 and 2], [page 96, column 1, paragraph 2 and 3] and [page 96, column 2, paragraph 4]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Paulauskas et al. by incorporating the use of a second set of data with 3D model data as the conventional manner as Koller et al., in order to provide a realistic visual representation of cityscape and landscape features in the region thereby providing an effective way to build computer game scenes with more realistic views which plays a key in attracting computer game users or customers.

As to claim 6, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected. However,

Paulauskas et al. does not teach “wherein the second set of data is combined with 3D model data to provide a realistic visual presentation of one of a group consisting of: buildings, fences, trees, shrubbery, lawns, and clouds in the region”.

Koller et al. teaches “wherein the second set of data is combined with 3D model data to provide a realistic visual presentation of one of a group consisting of: buildings, fences, trees, shrubbery, lawns, and clouds in the region” (see [page 94, column 2, paragraph 1 and 2], [page 95, column 2, paragraph 2-4], [page 96, column 1, paragraph 2 and 3] and [page 96, column 2, paragraph 4]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Paulauskas et al. by incorporating the use of a second set of data with 3D model data as the conventional manner as Koller et al., in order to provide a realistic visual representation of one of a group consisting of: buildings, fences, trees, shrubbery, lawns, and clouds in the region, thereby providing an effective way to build computer game scenes with more realistic views which plays a key in attracting computer game users or customers.

As to claim 10, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Paulauskas et al. does not teach “filtering data from the second set of data to provide a desired level of accuracy”.

Koller et al. teaches “filtering data from the second set of data to provide a desired level of accuracy” (see [page 97, column 1, paragraph 3-5]).

It would be obvious to a person having ordinary skill in the art at the time the invention was made to have modified Paulauskas et al. by adding the feature filtering data from the second set of data to provide a desired level of accuracy as the conventional manner as Koller et al. in order to provides the computer game developers with an flexible and effective way to get only a set of data needed to render pictures with desired level of accuracy in their computer games.

As to claim 18, Paulauskas et al. teaches:

“A method of providing a geographic database for developing computer games” (see Abstract):

“selecting at least a portion of a source geographic database having geographic features developed for use with navigation systems” (see [column 3, lines 35-50] and [column 4, lines 5-27]);

“providing as a game geographic database having at least a portion of the geographic features of the source geographic database, wherein the game geographic database is developed for use with computer game developments” (see [column 1, lines 30-40] and [column 4, lines 58-60] wherein the geographic data used by the game application is equivalent to Applicant’s “game geographic database”);

“providing a tool set to access the game geographic database” (see [column 4, lines 50-60] and [column 5, lines 40-45] for the disclosure of game applications or software programs use the geographic data which means the game applications can access the geographic data wherein the geographic data is equivalent to Applicant’s “game geographic database” so the game applications is equivalent to Applicant’s “a tool set”); and

Art Unit: 2164

“integrating the game geographic database and the tool set to provide an integrated product to the game developers” (see Abstract, [column 4, lines 50-60] and [column 9, lines 57-60] wherein the separate hardware used for the game features with a separate position system and a separate geographic database is equivalent to Applicant’s “integrated product” which can be provided to anyone).

Paulauskas et al. does not teach:

“wherein the tool set is enabled to alter at least a portion of the geographic features of the game geographic database”.

Koller et al. teaches:

“wherein the tool set is enabled to alter at least a portion of the geographic features of the game geographic database” (see [page 97, column 1, paragraph 3] for using level of detail reduction of the terrain data wherein terrain data is a portion of the geographic features of the geographic database).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Paulauskas et al. by incorporating the feature of providing the tool set with ability to alter at least a portion of the geographic features of the game geographic database in the same conventional manner as Koller et al. in order to provide an effective way to manipulate a complex database such as geographic database.

As to claim 19, this claim is rejected based on arguments given above for rejected claim 18 and is similarly rejected including the following:

Paulauskas et al. as modified teach:

“wherein the tool set is enabled to alter the at least a portion of the geographic features of the game geographic database in any one or more selected from a spatial search function to query at least a portion of the geographic features from the game geographic database based upon a predefined criterion, an extraction function to extract at least a portion of the geographic features from the game geographic database, a filter function to eliminates selectively at least a portion of the geographic features from the game geographic database, a three dimension conversion function to convert at least a portion of the geographic features from the game geographic database to be represented as a three dimensional display, a transformation function to convert at least a portion of the geographic features from the game geographic database to be represented as a different format, and an integration function to associate at least a portion of the geographic features from the game geographic database with other, new types of data” (see [column 4, lines 58-62] for the association between geographic data and game data; also see [column 6, lines 25-65] for extracting only a subset of the geographic data to use in each game application and [column 9, lines 20-30] for the search function).

As to claim 20, Paulauskas et al. teaches:

“A computer product of providing a geographic database for developing computer games” (see Abstract) comprising:

“a game geographic database having at least a portion of selected geographic features from a source geographic database developed from use with navigation systems, wherein the game geographic database is developed for use with computer game development” (see [column

3, lines 35-45] and [column 9, lines 50-60] wherein geographic database used by game applications is equivalent to Applicant's "game geographic database");

"a tool set to access the game geographic database" (see [column 4, lines 50-60] and [column 5, lines 40-45] for the disclosure of game applications or software programs use the geographic data which means the game applications can access the geographic data wherein the geographic data is equivalent to Applicant's "game geographic database" so the game applications is equivalent to Applicant's "a tool set").

Paulauskas et al. does not teach:

"wherein the tool set is enabled to alter at least a portion of the geographic features of the game geographic database".

Koller et al. teaches:

"wherein the tool set is enabled to alter at least a portion of the geographic features of the game geographic database" (see [page 97, column 1, paragraph 3] for using level of detail reduction of the terrain data wherein terrain data is a portion of the geographic features of the geographic database).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Paulauskas et al. by incorporating the feature of providing the tool set with ability to alter at least a portion of the geographic features of the game geographic database in the same conventional manner as Koller et al. in order to provide an effective way to manipulate a complex database such as geographic database.

As to claim 21, this claim is rejected based on arguments given above for rejected claim 20 and is similarly rejected including the following:

Paulauskas et al. as modified teach:

“wherein the tool set comprises any one or more selected from a spatial search function to query at least a portion of the geographic features from the game geographic database based upon a predefined criterion, an extraction function to extract at least a portion of the geographic features from the game geographic database, a filter function to eliminates selectively at least a portion of the geographic features from the game geographic database, a three dimension conversion function to convert at least a portion of the geographic features from the game geographic database to be represented as a three dimensional display, a transformation function to convert at least a portion of the geographic features from the game geographic database to be represented as a different format, and an integration function to associate at least a portion of the geographic features from the game geographic database with other, new types of data” (see [column 4, lines 58-62] for the association between geographic data and game data; also see [column 6, lines 25-65] for extracting only a subset of the geographic data to use in each game application and [column 9, lines 20-30] for the search function).

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong-Thao Cao whose telephone number is (571) 272-2735. The examiner can normally be reached on 8:30 AM - 5:00 PM (Mon - Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 10/798,459
Art Unit: 2164

OK
JEAN M. CORRIELUS
PRIMARY EXAMINER
Art unit 2162

Page 21

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PTC

March 23, 2007